
HOUSE BILL No. 1061

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8-2; IC 3-8-4; IC 3-10.

Synopsis: Nomination of candidates for statewide offices. Provides for political parties to nominate their candidates for United States Senator and governor in a state convention rather than at a primary election.

Effective: July 1, 2001.

Kruse

January 8, 2001, read first time and referred to Committee on Elections and Apportionment.

C
o
p
y



First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1061

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 3-8-4-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A political party shall conduct
3 a state convention to nominate the candidates of the political party for
4 the following offices to be voted on at the next general election:
5 (1) **United States Senator.**
6 (2) **Governor.**
7 (†) (3) Lieutenant governor.
8 (‡) (4) Secretary of state.
9 (‡) (5) Auditor of state.
10 (†) (6) Treasurer of state.
11 (‡) (7) Attorney general.
12 (†) (8) Superintendent of public instruction.
13 (‡) (9) Clerk of the supreme court.
14 (b) The convention shall also:
15 (1) nominate candidates for presidential electors and alternate
16 electors; and
17 (2) elect the delegates and alternate delegates to the national



convention of the political party.

SECTION 2. IC 3-8-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) This section applies to a political party whose nominee received at least two percent (2%) but less than ten percent (10%) of the votes cast for secretary of state at the last election for that office.

(b) A political party subject to this section shall also nominate the party's candidates for the following offices at the state convention of the party:

~~(1) United States Senator.~~

~~(2) (1) United States Representative.~~

~~(3) Governor.~~

~~(4) (2) Legislative office.~~

~~(5) (3) A local office listed in IC 3-8-2-5.~~

SECTION 3. IC 3-10-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) At a primary election each political party subject to section 2 of this chapter shall nominate its candidates for the following offices to be voted for at the general election:

~~(1) United States Senator.~~

~~(2) Governor.~~

~~(3) (1) United States Representative.~~

~~(4) (2) Legislative offices.~~

~~(5) (3) Local offices.~~

(b) In addition, each political party subject to section 2 of this chapter shall:

(1) vote on candidates for nomination as President of the United States;

(2) elect delegates from each county to the party's state convention; and

(3) elect a precinct committeeman for each precinct in the county if precinct committeemen are to be elected under section 4.5 of this chapter.

SECTION 4. IC 3-10-1-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. (a) The ballot for a primary election shall be printed in substantially the following form for all the offices for which candidates have qualified under IC 3-8:

OFFICIAL PRIMARY BALLOT

____ Party

To vote for a person make a voting mark (X or H) on or in the box before the person's name in the proper column.

Vote for one only



Representative in Congress

- ☐ (1) AB _____
- ☐ (2) CD _____
- ☐ (3) EF _____
- ☐ (4) GH _____

(b) The offices with candidates for nomination shall be placed on the primary election ballot in the following order:

(1) Federal ~~and state~~ offices:

(A) President of the United States.

~~(B) United States Senator.~~

~~(C) Governor.~~

~~(D)~~ (B) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Judge of the county court, with each division separate, as required by IC 33-10.5-4-2.

(E) Prosecuting attorney.

(F) Clerk of the circuit court.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner.

(I) County council member.

(5) Township offices:

(A) Township assessor.

(B) Township trustee.

(C) Township board member.

(D) Judge of the small claims court.

C
o
p
y



- 1 (E) Constable of the small claims court.
 2 (6) City offices:
 3 (A) Mayor.
 4 (B) Clerk or clerk-treasurer.
 5 (C) Judge of the city court.
 6 (D) City-county council member or common council member.
 7 (7) Town offices:
 8 (A) Clerk-treasurer.
 9 (B) Judge of the town court.
 10 (C) Town council member.
 11 (c) The political party offices with candidates for election shall be
 12 placed on the primary election ballot in the following order after the
 13 offices described in subsection (b):
 14 (1) Precinct committeeman.
 15 (2) State convention delegate.
 16 (d) The following offices and public questions shall be placed on the
 17 primary election ballot in the following order after the offices described
 18 in subsection (c):
 19 (1) School board offices to be elected at the primary election.
 20 (2) Other local offices to be elected at the primary election.
 21 (3) Local public questions.
 22 (e) The offices and public questions described in subsection (d)
 23 shall be placed in a separate column on the ballot if voting is by paper
 24 ballot, ballot card voting system, or electronic voting system or in a
 25 separate column of ballot labels if voting is by voting machine.
 26 (f) A public question shall be placed on the primary election ballot
 27 in the following form:
 28 (The explanatory text for the public question,
 29 if required by law.)
 30 "Shall (insert public question)?"
 31 ☐ YES
 32 ☐ NO
 33 SECTION 5. IC 3-10-8-7 IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2001]: Sec. 7. A candidate for the office of
 35 United States Senator in a special election held to fill a vacancy in
 36 accordance with IC 3-13-3-1 shall be nominated:
 37 (1) ~~at a primary election held under IC 3-10-1, at the state~~
 38 ~~convention of a political party~~ if the vacancy occurs ~~no later~~
 39 ~~than noon seventy (70) days before the primary election; political~~
 40 ~~party's convention and the political party's rules permit~~
 41 ~~nomination of a candidate at that convention; or~~
 42 (2) ~~as provided in IC 3-13-1-3; if the vacancy occurs after noon on~~

C
O
P
Y



1 ~~the seventieth day before a primary election held under IC 3-10-1;~~
2 ~~or~~
3 ~~(3) (2)~~ under IC 3-8-6, if a candidate is an independent candidate
4 or represents a political party not qualified to nominate candidates
5 at a ~~primary election~~ **convention**.
6 SECTION 6. THE FOLLOWING ARE REPEALED [EFFECTIVE
7 JULY 1, 2001]: IC 3-8-2-8; IC 3-8-2-9; IC 3-8-2-10.

C
o
p
y

